

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 21855 of 1998

Between:

Kondapavuluri Mukherjee, S/o Satyanarayana,
Flat No.7, Janapriya Residency, HUDA Complex, HYDERABAD.

... PETITIONER

AND

- 1 The Principal Secretary, Medical & Health, Government of A.P.,
Secretariat, Hyderabad.
- 2 The Superintendent, Osmania General Hospital,
HYDERABAD

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not providing the necessary medicines to the patients of the Osmania General Hospital, Hyderabad, as illegal, arbitrary and violative of Principles of natural justice and Article 14 & 21 of the Constitution of India and consequently direct the respondents a) to provide the necessary medicines to the patients in the Osmania Hospital, b) to maintain the stock of the emergency life saving medicines a month in advance c) to get repaired all equipments in the osmania Hospital such as 'Ventilator' Etc.

Counsel for the Petitioner: MR.CH.B.R.P. SEKHAR

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court made the following:

ORDER:

Petitioner, by this writ petition, seeks Mandamus declaring the action of the respondent in not providing the necessary medicines to the patients of the Osmania General Hospital, Hyderabad, as illegal and arbitrary.

2. Heard the counsel appearing on either side.

3. Respondents filed counter affidavit in 1998 itself, stating that they are supplying necessary medicines. When the matter was taken up last week, this Court directed the Superintendent, Osmania General Hospital to file fresh affidavit indicating the present status of supply of the medicines. The relevant paragraph reads as under. -

“ At present the basic lifesaving drugs of 250 items are being supplied by the APHMIDC (centralized stores) and almost all drugs are kept in stock for patient treatment. Apart from the said an amount of Rs.48 lakhs are being provided by the Govt. per annum directly to the hospital for the purchase of emergency super specialty drugs since 1999 onwards with which all drugs needy for the patients are being provided on demand. There is no single complaint in regards to the drug supply to the patients since six years.

4. In view of the same, no further orders need be passed in the writ petition and it is accordingly dismissed. No costs.

N.V. RAMANA, J

March 10, 2005

MRR

Copy to:

Secretariat, Hyderabad.

2 The Superintendent, Osmania General Hospital,
HYDERABAD

3 Two C.C. s to the G.P. for Medical Health and Family Welfare,
High Court Buildings, Hyderabad (OUT)

4 Two C.D. Copies.